



1531

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Kathleen DANENBERG et al

Group Art Unit: 1637

Application No.: 09/998,333

Examiner: Young J. Kim

Filed: December 3, 2001

Docket No.: 11220/146

For: METHOD OF DETERMINING A CHEMOTHERAPEUTIC REGIMEN BY
ASSAYING GENE EXPRESSION IN PRIMARY TUMORS

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

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— I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

— Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

The reference included in this Information Disclosure Statement was cited in the International Preliminary Examination Report (IPER) dated December 29, 2004 in counterpart PCT International Application No. PCT/US01/45188. This IPER was received not more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d). A copy of the IPER is attached for the Examiner's information. The *Stanta et al.* article reference cited in the IPER is not cited herein because it was previously cited on September 11, 2003, and, therefore, is not enclosed herewith.

Respectfully submitted,

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of

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Complete if Known

Application Number

09/998,333

Filing Date

Dec. 3, 2001

First Named Inventor

Kathleen DANENBERG

Art Unit

1637

Examiner Name

Young J. Kim

Attorney Docket Number

11220/146

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-6,015,673	01/18/2000	GONZALEZ et al.	

FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ISHIKAWA et al., Thymidylate synthetase and dihydropyrimidine dehydrogenase levels in gastric cancer. Anticancer Research. 1999, Vol. 19, pages 5635-5640, see entire document.	

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